

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANGELIQUE McKINNEY, as parent and
natural guardian of EBONY GAGE, a minor,
and RONALD LEWIS GAGE, JR., a minor,
and in her own right

CIVIL ACTION NO.: 07-4432

Plaintiff,

vs.

PHILADELPHIA HOUSING AUTHORITY,
et al.

Defendants.

ORDER

WHEREAS, plaintiff Angelique McKinney brought civil rights claims pursuant to 42 U.S.C. § 1983 against defendants, the Philadelphia Housing Authority ("PHA"), Keith Caldwell, Shane Manila, Laverne French, Naomi Walker, Virginia Booth, an unknown PHA appraiser, Sophia Alexander, Michael Regan, Anthony Toliver, William O'Meara, an unknown PHA Team E Floater, Ruby Jones, Vincent Sherman, and Margaret Clark (collectively "PHA Defendants"), and tort claims against defendants Robert and Kathleen Stahl, Ernest R. Artur, Jr., Artur Realty, Inc., Artur Property Management, and Artur Repairs;

WHEREAS, the PHA Defendants denied all material allegations of the Complaint and deny the factual allegations of the Petition for Leave of Court for Settlement or Compromise of a Minor's Action but do not oppose the settlement; and

WHEREAS the parties desire to settle the ligation.

AND NOW, this 15 day of JUNE, 2010, upon consideration of the Petition for Leave of Court for Settlement or Compromise of a Minor's Action and for the Distribution of Settlement Proceeds and all Responses thereto, it is hereby **ORDERED** and **DECREED** that the Petitioner is granted leave of Court to enter into a settlement in the gross present value sum of \$11,913,000.00.

IT IS FURTHER **ORDERED** and **DECREED** that the Court **APPROVES** the "Ebony Gage Special Needs Trust" and the "Ronald L. Gage, Jr. Settlement Preservation Trust."

The settlement funds shall be distributed as follows:

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| a. | To Kline & Specter, P.C.
(reimbursement for litigation costs) | \$355,331.34 |
| b. | To Kline & Specter, P.C.
(one third attorneys' fee) | \$3,852,556.22 |
| c. | To be held in escrow for determination of
the amount of repayment due the
Commonwealth of Pennsylvania
Department of Public Welfare for
satisfaction of the lien claimed for Ebony Gage
(satisfaction of Medical Assistance lien) | \$1,248,734.89 |
| d. | To be held in escrow for determination of
the amount of repayment due the
Commonwealth of Pennsylvania
Department of Public Welfare for satisfaction
of any lien(s) asserted for Ronald Gage, Jr. | \$6,876.52 |
| e. | To be held in escrow for determination of
the amount of repayment due the
Commonwealth of Pennsylvania
Department of Public Welfare for satisfaction
of any lien(s) asserted for Angelique McKinney | \$12,000.00 |

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|----|--|----------------|
| f. | To Bayada Nurses for repayment of medical equipment on behalf of Ebony Gage (loan repayment) | \$1,265.00 |
| g. | To The Advisory Trust Company of Delaware, Trustee of the Ebony Gage Special Needs Trust | \$6,351,627.44 |
| h. | To Bank of America, N.A., through its Merrill Lynch Trust Company Division, Trustee of the Ronald L. Gage, Jr. Settlement Preservation Trust | \$70,737.31 |
| i. | To Angelique McKinney | \$13,871.28 |

IT IS FURTHER ORDERED and DECREED that upon agreement between Petitioner and the Commonwealth of Pennsylvania Department of Public Welfare of the amount to be repaid to the Commonwealth of Pennsylvania Department of Public Welfare for past medical bills and financial assistance for Ebony Gage, Ronald Gage, Jr., and Angelique McKinney, or, in the absence of such agreement, upon determination by this Court of the amount to be repaid to the Commonwealth of Pennsylvania Department of Public Welfare pursuant to an Ahlborn Hearing, Petitioner's counsel is authorized to distribute the determined lien amounts to DPW, and to distribute any remaining balances from escrow to the Ebony Gage Special Needs Trust, the Ronald L. Gage, Jr. Settlement Preservation Trust, and to Angelique McKinney, as set forth in the Petition.

BY THE COURT



J.